

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

TEMARCUS SCOTT,

Plaintiff,

v.

XAVIER BLACKBURN, et al.,

Defendants.

No.10-70-DRH

ORDER

HERNDON, Chief Judge:

This matter is before the Court on a Report and Recommendation (“R&R”) issued pursuant to **28 U.S.C. § 636(b)(1)(B)** by United States Magistrate Judge Frazier (Doc. 7). The R&R *sua sponte* recommends that Plaintiff’s Complaint be dismissed without prejudice as it appears that Plaintiff was released from prison and he failed to provide an appropriate mailing address as well as failed to pay his initial filing fee or complete the USM-285 forms as Ordered.

The R&R was sent to the Parties with a notice informing them of their right to appeal by way of filing “objections” within fourteen days of service. As of this date, the allotted time has expired and no objections have been filed. Therefore, pursuant to **28 U.S.C. § 636(b)** this Court need not conduct a *de novo* review. **Thomas v. Arn, 474 U.S. 140, 149-52 (1985)**. Accordingly, the Court **ADOPTS** the R&R (Doc. 7) in its entirety and **DISMISSES** Plaintiff’s Complaint **without**

prejudice. The Court will close the file.

IT IS SO ORDERED.

Signed this 28th day of September, 2010.

/s/ David R. Herndon

**Chief Judge
United States District Court**